

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF NEW YORK

AMENDED SUMMONS IN A CIVIL ACTION

EDWARD JAMAR PERSON,

Case Number: 07-CV-5960 (PAC)(HBP)

-against-

THE CITY OF NEW YORK, CORRECTION OFFICER "JOHN" BIBILARI, BADGE NUMBER 7050, CORRECTION OFFICER "JOHN" PELUSO, BADGE NUMBER 10657, CAPTAIN "JOHN DOE", AND SEVERAL UNKNOWN CORRECTION OFFICERS,

TO: THE CITY OF NEW YORK c/o MICHAEL A. CARDOZO, 100 CHURCH STREET,
NEW YORK, NEW YORK 10007

CORRECTION OFFICER "JOHN" BIBILARI, BADGE NUMBER 7050, c/o
GEORGE R. VIerno CENTER, 09-09 HAZEN STREET, EAST ELMHURST, NEW YORK
11370

CORRECTION OFFICER "JOHN" PELUSO, BADGE NUMBER 10657, c/o
GEORGE R. VIerno CENTER, 09-09 HAZEN STREET, EAST ELMHURST, NEW YORK
11370

YOU ARE HEREBY SUMMONED and required to file with the Clerk of this Court
and serve upon PLAINTIFF'S ATTORNEY:

TRACIE A. SUNDACK & ASSOCIATES, L.L.C.
19 COURT STREET, 3RD FLOOR
WHITE PLAINS, NEW YORK 10601
914-946-8100

an Answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

CLERK

DATE

BY DEPUTY CLERK

CITY OF N.Y. LAW DEPT.
OFFICE OF CORR. COUNSEL
COMMUNICATIONS SECTION
2008 MAR 28 PM 3:41
APR 10 2008

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
EDWARD JAMAR PERSON,

Plaintiff,

-against-

THE CITY OF NEW YORK, CORRECTION
OFFICER "JOHN" BIBILARI, BADGE NUMBER
7050, CORRECTION OFFICER "JOHN" PELUSO,
BADGE NUMBER 10657, CAPTAIN "JOHN DOE",
AND SEVERAL UNKNOWN CORRECTION
OFFICERS,

Defendants.
-----X

Plaintiff EDWARD JAMAR PERSON by his attorneys, TRACIE A. SUNDACK &
ASSOCIATES, L.L.C., complaining of the Defendants, THE CITY OF NEW YORK and
CORRECTION OFFICER "JOHN" SANTIAGO, BADGE NUMBER UNKNOWN, respectfully
alleges as follows:

PRELIMINARY STATEMENT

1. Plaintiff brings this action for compensatory damages, punitive damages and attorney's fees pursuant to 42 U.S.C. § 1983 and 42 U.S.C. § 1988 for violations of his civil rights, as said rights are secured by said statutes and the Constitutions of the State of New York and the United States. Plaintiff also asserts supplemental state law tort claims.

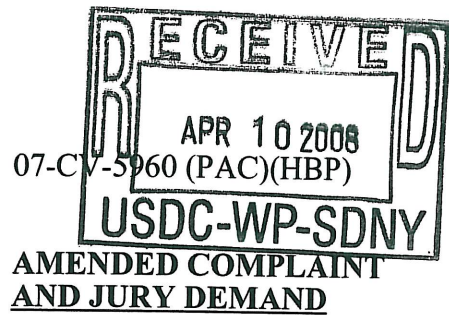
JURISDICTION

2. This action is brought pursuant to 42 U.S.C. § 1983 and 42 U.S.C. § 1988, and the First, Fourth, Fifth, Sixth, Eighth and Fourteenth Amendments to the United States Constitution.

3. Jurisdiction is founded under 28 U.S.C. §§ 1331, 1343 and 1367.

VENUE

4. Venue is properly laid in the Southern District of New York under U.S.C. § 1391(b), in that this is the District in which the claim arose.



2008 MAY 8 PM 4:11
CITY OF N.Y. LAW DEPT.
OFFICE OF CORP. COUNSEL
COMMUNICATIONS SECTION